

# SENATE BILL REPORT

## HB 2663

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As Reported by Senate Committee On:  
Government Operations & Security, February 22, 2016

**Title:** An act relating to sunshine committee recommendations to repeal obsolete exemptions to public disclosure provisions.

**Brief Description:** Implementing sunshine committee recommendations to repeal obsolete exemptions to public disclosure provisions.

**Sponsors:** Representatives Springer and Kilduff.

**Brief History:** Passed House: 2/11/16, 96-0.

**Committee Activity:** Government Operations & Security: 2/18/16, 2/22/16 [DP].

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### SENATE COMMITTEE ON GOVERNMENT OPERATIONS & SECURITY

**Majority Report:** Do pass.

Signed by Senators Roach, Chair; Pearson, Vice Chair; Habib, McCoy and Takko.

**Staff:** Samuel Brown (786-7470)

**Background:** The Public Records Act (PRA). The PRA, enacted in 1972 as part of Initiative 276, requires that all state and local governments make all public records available for public inspection and copying unless certain statutory exemptions apply. The provisions requiring disclosure of public records are interpreted liberally, while the exemptions from disclosure are narrowly construed, to effectuate a policy favoring disclosure.

The Public Records Exemptions Accountability Committee (Sunshine Committee). The Sunshine Committee, created by the Legislature in 2007, reviews all exemptions from public disclosure. Members of the Sunshine Committee must include two representatives appointed by the Governor, two appointed by the Attorney General, four members of the public, and four members of the Legislature. The Sunshine Committee meets several times per year to discuss the exemptions and provide a recommendation as to whether the exemptions reviewed should be continued without modification, modified, scheduled for sunset review at a future date, or terminated.

Records of Defunct Programs. Records of several defunct programs or reports with no ongoing activity are exempt from public disclosure. Those include:

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- Railroad company contracts filed prior to 1991 with the Utilities and Transportation Commission;
- Personal information filed with the Bureau of Statistics in the Office of the Secretary of State;
- Data collected by the Department of Social and Health Services for a 2004 report on the payment system for licensed boarding homes, except as reported to the Legislature.

Records of Liquor Purchases. In 1933, the Legislature made all records showing the purchase of liquor by any individual confidential and made disclosure of such information a misdemeanor.

**Summary of Bill:** Two recommendations of the Sunshine Committee are implemented.

Records of Defunct Programs. The exemption from public disclosure for records of the following defunct programs is repealed:

- Railroad company contracts filed prior to 1991 with the Utilities and Transportation Commission;
- Personal information filed with the Bureau of Statistics in the Office of the Secretary of State;
- Data collected by the Department of Social and Health Services for a 2004 report on the payment system for licensed boarding homes, except as reported to the Legislature.

Records of Liquor Purchases. The prohibition of disclosure of records showing the purchase of liquor by any individual is repealed.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: None of these records currently exist, so having them exempt from disclosure makes no sense.

**Persons Testifying:** PRO: Rowland Thompson, Allied Daily Newspapers of Washington.

**Persons Signed In To Testify But Not Testifying:** No one.